Paper No. 5

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OFFICE OF PETITIONS

In re Application of   :
James Chi-Shun Tsiao et al   :
Application No. 09/964,947   :   NOTICE
Filed: September 26, 2001   :
Attorney Docket No. PROQP003   :

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. **See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).**

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED.**

Inquiries related to this communication should be directed to the Office of Petitions Staff at (703) 305-9285.

This file is being forwarded to Technology Center AU 2654.

Wan Layton
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
  for Patent Examination Policy
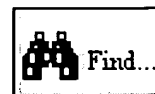
Transaction List

Search by

○ Accounting Date: [　　　　]　Operator ID: [　　　　　　]

(MMDDYY)

◉ Name/Number: [09964947]

○ Attrny Docket No: [　　　　　　　　　]

○ Deposit Account No: [　　　　　　　　]

Accounting Date
Starts: [　　] Ends: [　　]

[Find...]

[1]

Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acct
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10/02/2001	RMEBRAHT	2	SALE	203	A	81.00	09964947	
10/02/2001	RMEBRAHT	1	SALE	201	A	355.00	09964947	

[✓ OK]　[Adjustment Detail]　[Authorization Detail]　[Print Screen]　[▷]

Adjustment date: 09/27/2002 CNGUYEN
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04 FC:581   -40.00 OP